

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RONALD SATISH EMRIT,

Plaintiff,

v.

SPECIAL AGENT IN CHARGE OF FBI
FIELD OFFICE IN SOUTHERN DISTRICT
OF NEW YORK (SDNY),

Defendant.

Civil Action No. 22-30154-MGM

ORDER

November 17, 2022

MASTROIANNI, U.S.D.J.

This action is DISMISSED without prejudice under the prior pending action doctrine. The prior pending action doctrine “covers scenarios in which actions involving the same parties and similar subject matter are pending in different federal district courts and the overlap between the two suits is nearly complete.” *Maldonado-Cabrera v. Anglero-Alfaro*, 26 F.4th 523, 526 (1st Cir. 2022) (citation and quotations omitted). As the First Circuit teaches, “[w]hen such a scenario looms, . . . the usual practice is for the court that first had jurisdiction to resolve the issues and the other court to defer.” *Id.* (citation and quotations omitted). Indeed, the “power to dismiss a duplicative lawsuit is meant to foster judicial economy and the comprehensive disposition of litigation.” *Id.* (citations and quotations omitted).

Here, the prior pending action doctrine is applicable. On November 16, 2022, Plaintiff Ronald Satish Emrit, (“Emrit”) filed this action. (*See* Complaint, ECF No. 1.) One day prior, on November 15, 2022, Emrit filed a virtually identical action in the United States District Court for

the District of Maine against the same defendant named here. *See Emrit v. Special Agent in Charge of FBI Field Office in Southern District of New York (SDNY)*, C.A. No. 22-00358 (D. Me.). That action is still pending.

Accordingly, the court while taking no position on the merits of this action, dismisses it without prejudice under the prior pending action doctrine. The Clerk is directed to enter a separate order of dismissal and close the case.

It is So Ordered.

/s/ Mark G. Mastroianni
MARK G. MASTROIANNI
United States District Judge